

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO.

FELIX G. ARROYO
Plaintiff,
v.
CITY OF BOSTON and
MARTIN J. WALSH
Mayor of Boston,
Defendants.

NOTICE OF REMOVAL
(PURSUANT TO 28 U.S.C. § 1441)

Defendants City of Boston and Martin J. Walsh (“Defendants”) through undersigned counsel, hereby gives notice of the removal of this action pursuant to 28 U.S.C. §§ 1441 and 1446 from the Suffolk Superior Court, where this action is currently pending. In Suffolk Superior Court, the case is docketed as Civil Action No. 2020-01891A and has the same caption as above.

In support of this Notice of Removal, the Defendants state as follows:

1. This action alleges *inter alia* that the Defendants violated Plaintiff’s civil rights guaranteed by the Fifth and Fourteenth Amendments pursuant to 42 U.S.C. § 1983. Specifically, the Plaintiff alleges *inter alia* that his civil rights and due process were violated as a result of the Defendants breaching an employment contract and terminating Plaintiff. See Plaintiff’s Complaint, ¶ 93-95 attached hereto as **Exhibit 1**. Plaintiff seeks damages for lost wages, emotional distress, costs of the action, attorney’s fees and further relief. See **Exhibit 1**.
2. This Court has jurisdiction over the Plaintiff’s federal claims pursuant to 28 U.S.C. § 1331, and the entire action may be removed pursuant to 28 U.S.C. § 1441(c).

3. A fair reading of the facts and theories as a whole makes it apparent that federal law and issues are essential to this case and therefore the Defendants have a statutory right to remove this action.
4. Defendant's Notice of Removal has been filed within thirty (30) days from service of the Plaintiff's complaint upon them on November 16, 2020. See Plaintiff's Summons and Complaint regarding service, attached hereto as **Exhibit 1**.

Respectfully submitted,
DEFENDANT
CITY OF BOSTON

By its attorney,
Eugene L. O'Flaherty
Corporation Counsel

/s/ Erika P. Reis

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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the Plaintiff via first class mail.

11/20/2020
Date

/s/ Erika P. Reis
Erika P. Reis